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# Ford government under fire for position on long-term care lawsuit

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PUBLISHED SEPTEMBER 1, 2020

**PUBLISHED SEPTEMBER 1, 2020**

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A man takes a walk outside the Seven Oaks Long-Term Care Home in Toronto on June 25, 2020.

FRANK GUNN/THE CANADIAN PRESS

Opposition MPPs, seniors' groups and health care unions are denouncing the Ontario government's legal claim that it does not guarantee the health and safety of long-term care residents, sparking renewed calls for a full public inquiry into the spread of COVID-19 in nursing homes.

The Globe and Mail on Monday reported on a proposed class-action lawsuit filed on behalf of long-term care residents who contracted COVID-19 and their families. In its statement of defence, the province denies that anyone in the proposed class-action, including families, "suffered any loss or damages." And if they did, long-term care operators are responsible, it says.

NDP Leader Andrea Horwath said the government's position is "absolutely shameful," and called for an end to for-profit nursing homes. She reiterated her party's calls for a public inquiry into the state of long-term care in the province.

Premier Doug Ford's government has launched a judge-led independent commission to study the pandemic in long-term care homes, and report on its findings by April 30. But many advocates say an inquiry would be more transparent and give families more of a voice in the proceedings.

"We can't keep letting private companies warehouse our seniors for profit with very few rules and almost no inspections," Ms. Horwath said. "Mr. Ford, this is not taking responsibility for what happened."

Liberal Leader Steven Del Duca called the government's position "disgusting," and said it's "the exact opposite of leadership."

Mr. Ford has repeatedly said his government put an "iron ring" of protection around seniors in long-term care facilities during the pandemic, blaming years of neglect under the previous Liberal government. His office declined comment on Tuesday and referred questions to Minister of Long-Term Care Merrilee Fullerton.

Gillian Sloggett, a spokeswoman for Ms. Fullerton, said the government sends "deepest condolences" to everyone affected by COVID-19 in long-term care, and thanked staff and health workers in the homes. She said the government is learning more every day about the virus, which is why it launched an independent commission.

"In Ontario, while the Ministry of Long-Term Care provides regulatory oversight of long-term care homes through the Long-Term Care Act, these homes are independently run and operated and oversee their own staffing," she said.

On Tuesday, Mr. Ford held a closed-door ceremony with members of the Canadian Armed Forces, to present certificates of recognition to thank them for their service in long-term care homes during the COVID-19 pandemic. In April, Mr. Ford said the province was taking control of a number of long-term care homes after a report from the military found appalling conditions in some of the facilities.

The province has given local hospitals temporary control of 11 homes since the start of the pandemic. At least one Toronto hospital has since left one of the homes, Downsview Long Term Care Facility, with the government saying there will be "regular monitoring" of the home.

The Ontario Ministry of Long-Term Care funds, regulates, licenses and inspects the province's 630 long-term care homes. The government is being sued for $500-million plus punitive damages in a proposed class-action filed in the Ontario Superior Court in June. More than 1,800 residents in long-term care have died of the coronavirus.

Sharleen Stewart, president of SEIU Healthcare, the union that represents 60,000 front-line health care workers, called the government's position "an insult" to family members who lost loved ones to COVID-19. She said a public inquiry is the only way to get to the bottom of what happened.

"I have absolutely no confidence at all in this commission, and this is a prime example why," she said.

Laura Tamblyn Watts, chief executive of CanAge, a national seniors advocacy organization, said she remains hopeful the government is committed to improving long-term care.

"It is somewhat disheartening to hear a government decry liability, while at the same time committing to fixing the system," she said.

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